

TRULINCS 48860039 - FATA, FARID - Unit: WIL-A-B

FROM: 48860039  
 TO:  
 SUBJECT: JUDICIAL NOTICE  
 DATE: 04/13/2021 08:32:38 AM

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APR 22 2021

CASE No. 2:13-cr-20600

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF MICHIGAN  
 SOUTHERN DIVISION

PAUL D. BORMAN  
 U.S. DISTRICT JUDGE

UNITED STATES OF AMERICA  
 Plaintiff,

v.

Hon. Paul D. Borman

FARID FATA,  
 Defendant.

## JUDICIAL NOTICE TO THE COURT

1- United States v. Groat, Case No. 2:17-cr-104, 2021 U.S. Dist. LEXIS 65194 (D. Utah. April 2, 2021):

Defendant Justin Groat had already had COVID-19, but he had a list of co morbidities that could make COVID-19 reinfection with the variants worse. The government argues he was immune, and he would be fine. But Justin cited a number of District Court decisions that a previous positive COVID-19 diagnosis does not block grant of a compassionate release "if extraordinary and compelling reasons justify a reduced sentence". Defendant Groat obtained a medical school professor's opinion that "effective" immunity seems to last approximately 90 days and that "reinfection with COVID-19 and its variants has been documented, with some individuals presenting with more severe disease than the first infection".

On April 2, 2021, the District Court granted Justin Groat compassionate release, finding his evidence "persuasive" that COVID "effective" immunity only lasted 90 days. The government offered the opinion that defendant's prior infection meant he was safe, but the Judge noted that "amounted to nothing more than impermissible ipse dixit because Mr. Groat is currently unvaccinated, exposed to many other inmates who are similarly unvaccinated, being guarded by substantial percentage of staff who have also not been vaccinated, and because it is likely that he is capable of being reinfected, the Court finds that Mr. Groat is at risk of being infected with COVID-19".

2- Bureau Of Prisons Press Releases, Inmate Death at MCFP Springfield. April 7, 2021:

"The Bureau's loose use of the definition of "recovered" should raise doubts. The BOP announced yet two more "recovered" inmate deaths. One, Leonard Williams, contracted COVID in late February 2021, but "On March 22, 2021, "the BOP said, "in accordance with [CDC] guidelines, Mr. Williams was converted to a status of "recovered" following the completion of medical isolation and presenting with no symptoms. On April 3, 2021, Mr. Williams

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became unresponsive". He was dead before he got to the hospital. Another inmate, Jaime Benavides, caught COVID in December 2020, but was declared "recovered" 10 days later. But "on March 25, 2021, Mr. Benavides' condition worsened and he was transported to a local hospital for further treatment and evaluation". He died, too.

3- The Marshall Project, A State-by-State Look at Corona virus in Prisons: April 9, 2021:

"The Marshall Project has been reporting a tally of COVID cases in federal prisons every Friday for over a year. On April 9, 2021, it informed the public that its "data no longer includes new cases from the BOP, which has had more prisoners infected than any other system. In early March 2021, the Bureau's totals began to drop because they removed cases of anyone who was released, a spokesman said. Similarly, in April 2021, the BOP lowered the number of deaths it was reporting among people held in private prisons. As a result, we cannot accurately determine new infections or deaths in federal prisons".

4- Federal News Network. April 6, 2021:

"On April 6, 2021, the Federal News Network reported BOP's abysmal staff vaccination rate. While some Government agencies' frontline workers were having trouble accessing the COVID vaccines, "the Bureau of Prisons says it offered the COVID-19 vaccine to all of its employees, but only 49% took the agency up to its offer. BOP reported that it cannot require its employees to take the COVID vaccine since the Food and Drug Administration hasn't formally approved them yet". As of April 6, 2021, BOP reported 1,250 sick staffers, a high number unchanged in the last two weeks.

Respectfully Submitted,

Farid Fata  
48860-039  
FCI Williamsburg  
P.O. Box 340  
Salters, SC 29590



April 13, 2021

Name: Farid Fata  
Register Number: 48860-039  
F.C.I. Williamsburg  
Inmate Mail  
P.O. Box 340  
Salters, SC 29590

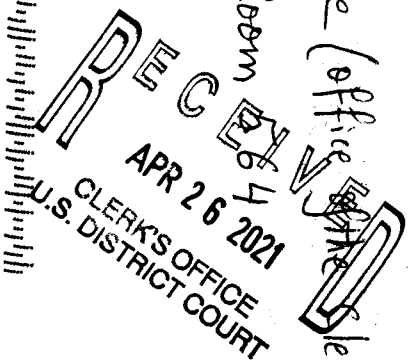
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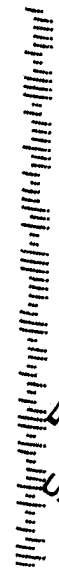


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DOLLAR

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Theodore Levin U.S. Court House (Office of the Clerk)  
231 West Lafayette Blvd - Room 64  
Detroit, MI 48226



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LEGAL MAIL